



State of Wisconsin Department of Public Instruction

Elizabeth Burmaster, State Superintendent

August, 2003

Transportation Guidance under the McKinney-Vento Homeless Education Assistance Act

The U.S. Department of Education continually communicates with state agencies regarding their positions on legal questions. Below is guidance on transportation issues involving homeless students that was sent to Education for Homeless Children and Youth (EHCY) Program state coordinators on July 3, 2003. Please contact Mary Maronek, Coordinator, EHCY Program at mary.maronek@dpi.wi.gov or (608) 261-6322, with any questions you may have about the information below.

Since the reauthorization of the McKinney-Vento in 2001, there have been four changes in guidance regarding transportation for children and youth experiencing homelessness.

(1) It is the intent of McKinney-Vento to provide homeless students the stability to stay in their school of origin for the remainder of the school year once permanent housing has been found. However, this intent was not written into the legislation. Therefore, when a student who was once homeless becomes permanently housed, districts may use their own discretion in deciding if they want to continue to provide transportation for that student to the school of origin for the remainder of the school year. (School of origin is defined as the school attended when permanently housed, or the school last enrolled.)

Important: If it is the policy of your district to discontinue provision of transportation for homeless students once permanent housing is found, parents, guardians and unaccompanied youth should be notified of this **at the time of enrollment**. This information may affect a parent, guardian or youth's initial decision regarding attending the school of origin or the new attendance area school.

(2) School districts can no longer use Title I funds to provide transportation for homeless students to their school of origin. Title I funds cannot be used to pay for services that are a legal obligation under other legislation. Since the McKinney-Vento Homeless Education Assistance Act requires districts to transport students, at the request of the parent/guardian/unaccompanied youth, to the student's school of origin, Title I funds cannot "supplant" this required transportation obligation.

(3) Once students who were homeless become permanently housed, districts may use Title I funds to pay for their transportation for the remainder of the school year. If districts, at their discretion, continue to transport the previously homeless student, there is not a "supplanting" issue involved with using Title I funds since this transportation service is no longer required.

(4) Districts must follow McKinney-Vento in providing transportation to a preschool student who becomes homeless while attending a preschool program administered by the district and the district provides transportation to "housed" students. This guidance does not include special education requirements for 3-5 year old children.